

1 THE HONORABLE BARBARA J. ROTHSTEIN  
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7 UNITED STATES DISTRICT COURT  
8 FOR THE WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 WILLIAM T. WHITMAN, individually and on  
11 behalf of all others similarly situated,

12 Plaintiff,

13 v.

14 STATE FARM LIFE INSURANCE  
15 COMPANY, an Illinois corporation,

16 Defendant.

17 CASE NO. 3:19-cv-06025-BJR

18 ORDER GRANTING PLAINTIFF'S  
19 MOTION TO SEAL (PROPOSED)

20 Upon the motion of Plaintiff to file under seal certain confidential documents and  
21 information subject to the Protective Order entered in this action (ECF No. 48), and being  
22 otherwise duly advised, it is hereby ORDERED that the motion is GRANTED and the following  
23 documents shall be filed under seal:

24 1. Certain annual statements for Plaintiff's life insurance policy at issue in this case,  
25 attached as Exhibit C to the Declaration and Report of Scott J. Witt;

26 2. Certain illustrations for Plaintiff's life insurance policy at issue in this case, attached  
27 as Exhibit D to the Declaration and Report of Scott J. Witt;

1       3.     The transcript of the November 7, 2017, deposition of Defendant State Farm Life  
2 Insurance Company (“State Farm”) employee and expert Carl Streily in *Vogt v. State Farm Life*  
3 *Ins. Co.*, 16-4170-CV-C-NKL (W.D. Mo.), attached as Exhibit E to the Declaration and Report of  
4 Scott J. Witt;

5       4.     The transcript of the December 8, 2017, deposition of State Farm employee and  
6 designated representative Tony Phipps in *Vogt v. State Farm Life Ins. Co.*, 16-4170-CV-C-NKL  
7 (W.D. Mo.), attached as Exhibit F to the Declaration and Report of Scott J. Witt;

8       5.     The Form 94030 New Jersey Actuarial Memorandum, attached as Exhibit G to the  
9 Declaration and Report of Scott J. Witt;

10      6.     The Form 94030 South Carolina Actuarial Memorandum, attached as Exhibit H to  
11 the Declaration and Report of Scott J. Witt;

12      7.     The transcript of the November 30 through December 1, 2017, deposition of State  
13 Farm employee and designated representative Jeff Holzbauer in *Vogt v. State Farm Life Ins. Co.*,  
14 16-4170-CV-C-NKL (W.D. Mo.), attached as Exhibit I to the Declaration and Report of Scott J.  
15 Witt;

16      8.     An October 4, 2001, internal email produced by State Farm re: “Mortality  
17 Assumption Documentation,” attached as Exhibit J to the Declaration and Report of Scott J. Witt;

18      9.     A 2001 actuarial memorandum for the repricing of Form 94030 produced by State  
19 Farm, attached as Exhibit K to the Declaration and Report of Scott J. Witt;

20      10.    The February 28, 2018, declaration of Jeff Holzbauer in *Vogt v. State Farm Life*  
21 *Ins. Co.*, 16-4170-CV-C-NKL (W.D. Mo.), attached as Exhibit L to the Declaration and Report of  
22 Scott J. Witt;

11. The transcript of the November 30, 2017, deposition of State Farm employee and designated representative at trial Alan Hendren in *Vogt v. State Farm Life Ins. Co.*, 16-4170-CV-C-NKL (W.D. Mo.), attached as Exhibit M to the Declaration and Report of Scott J. Witt;

12. Certain reference to State Farm's internal cost of insurance and mortality rates in the Declaration and Report of Scott J. Witt;

13. Plaintiffs' motion in limine filed as ECF No. 265 in *Vogt v. State Farm Life Ins. Co.*, 16-4170-CV-C-NKL (W.D. Mo.), attached as Exhibit 1 to Plaintiff's Motion for Class Certification; and,

14. The November 12, 2020, Declaration and Report of Scott J. Witt as served on State Farm in *Bally v. State Farm Life Ins. Co.*, 18-cv-04954-CRB (N.D. Cal.), attached as Exhibit 3 to Plaintiff's Motion for Class Certification.

Plaintiff's filing contains information, descriptions of information, or documents, designated as "Confidential" by Protective Order, and filing under seal is necessary to protect the confidential disclosure of documents as outlined in that Order.

The above documents shall remain sealed unless and until they become publicly-available or de-designated as “Confidential” under the existing Protective Order or by any Court Order.

IT IS SO ORDERED.

Dated this                    day of February, 2021.

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## UNITED STATES DISTRICT JUDGE

1 DATED this 16th day of February, 2021.

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